

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

George Stewart,

Plaintiff;

v.

**Texas Tech University Health
Sciences Center, et al.,**

Defendants.

Case No. 5:23-cv-0007-H

**NOTICE OF MOTION AND MOTION OF DEFENDANTS TO
SUBSTITUTE PARTY PURSUANT TO RULE 25(d)**

Without waiver of any defenses, including sovereign immunity under the Eleventh Amendment, Defendants The University of Texas Southwestern Medical Center (“UT Southwestern”) and Leah Schouten move pursuant to Rule 25(d) of the Federal Rules of Civil Procedure to substitute Alanna Edwards for Leah Schouten in her official capacity as the Director of Admissions at UT Southwestern as a defendant in this action. Rule 25(d) provides that when an officer who is a party to an action “resigns, or otherwise ceases to hold office,” her successor “is automatically substituted as a party.” FED. R. CIV. P. 25(d)(1).

Leah Schouten, a defendant sued only in her official capacity, no longer serves as the Director of Admissions at UT Southwestern. Alanna Edwards now serves as the current Director of Admissions for UT Southwestern and should therefore be substituted as a party in this action in place of Schouten for all further proceedings in this action.

Defendants respectfully request that the Court order this substitution in accordance with Rule 25(d). A proposed order is attached to this notice and motion.

Dated: May 24, 2024

Respectfully submitted,

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Attorneys for the University of Texas Defendants

CERTIFICATE OF CONFERENCE

Counsel for plaintiff does not oppose the substitution of defendant per an email exchange on May 15 and May 22, 2024. Defendants wanted to correct names of parties before serving responses and objections on discovery.

CERTIFICATE OF SERVICE

I certify that on May 24, 2024, I served a copy of this document on all counsel of record by electronic means.

Layne E. Kruse

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